

August 26, 2022

Via CM/ECF

Hon. Naomi Reice Buchwald
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *In re Libor-Based Financial Instruments Antitrust Litigation*,
Case No. 11-md-2262 (NRB)

Dear Judge Buchwald:

We serve as liaison counsel for the Class Plaintiffs, liaison counsel for the Direct Action Plaintiffs, and counsel for MUFG Bank, Ltd. ("MUFG") in the above-referenced LIBOR MDL. We write in connection with the parties' negotiations concerning the MUFG custodians and search terms. The current deadline to agree or for Plaintiffs to move to compel on custodians and search terms with respect to Upstream Issues is August 30, 2022 (*see* ECF No. 3425).

While the parties have been exchanging communications regarding MUFG's production of documents previously produced to regulators and the MUFG custodians and search terms, the parties would benefit from additional time to confer so as to avoid burdening the Court with unripe or unnecessary disputes. Accordingly, the parties seek to extend the deadline to agree or for Plaintiffs to move to compel on the MUFG custodians and search terms with respect to Upstream Issues from August 30, 2022 to September 29, 2022.

The parties do not intend that this extension impact the deadline for substantial completion of Defendants' rolling production of all document discovery relating to the Upstream Issues and class certification in the OTC action (row 12 in the scheduling order (ECF No. 3425)). Accordingly, the parties request that this 30-day extension be deducted from the 150-day period provided in the scheduling order for substantial completion of MUFG's rolling production, such that the deadline for substantial completion of MUFG's rolling production will now be 120 days after later of (i) the deadline for agreement on custodians and search terms if agreement is reached; or (ii) any motions to compel on custodians and search terms are resolved. The parties do not expect this extension to impact any other deadlines under the scheduling order.

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Respectfully,

/s/ William Christopher Carmody
William Christopher Carmody

Co-Lead Counsel for the OTC Plaintiffs
and Liaison Counsel for the Class Plaintiffs

/s/ Jason Onontiyoh Heflin
Jason Onontiyoh Heflin

Counsel for the Defendant MUFG Bank,
Ltd.

/s/ James Robertson Martin
James Robertson Martin

Counsel for The Federal Deposit Insurance
Corporation as Receiver for 19 Banks and
The Federal Home Loan Mortgage
Corporation and Liaison
Counsel for the Direct Action Plaintiffs

CC: All counsel via ECF